

SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF

March 17, 2006

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:15 a.m. by John Nall, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of March 17, 2006, together with the maps and staff reports attached thereto and incorporated therein by reference.

PUBLIC COMMENT PERIOD

Pat Molnar, addresses item #4 - DRC2004-00125 - SDS Family Trust. States he represents the family interest. Indicates the family meant to send a letter requesting a hearing. They wish to appeal to the Board of Supervisors. Hearing officer explains the appeal procedure. Ben Korman, designer, addresses the lighting issue. Suggests that use of shielding makes sense. Dave McGlaughlin speaks on behalf of his wife. Refers to page 2 of the staff report. States they are using the same footprint and not adding new footage. Speaks about lateral access. References page 8, section 3 regarding lighting. Wants condition #8, page 8, removed entirely. States notification was received late. Ryan Hostetter, project planner, responds to request to change conditions. Addresses concerns about coastal access requirements. Mr. McGlaughlin discusses the barn. Asks if the project would be approved if the barn were removed. Ms. Hostetter discusses septic system. Explains definition of development under the Coastal Land Use Ordinance. Hearing officer responds. Believes the California Coastal Commission will require a minimum of coastal access. Pat Molnar, agent for SBS Family Trust, explains reasons for request for permit. Discusses the barn. Ms. Hostetter asks if there is a coastal condition that the applicant will be happy with. Mr. Molnar adds he doesn't understand why these conditions are being placed on an agricultural operation. States he just wants a barn. Julie Spiller, neighbor, speaks regarding item #9 – Sagasay. States she is in full agreement for denial of this project. She feels the project is not in configuration with the natural feel of the residential neighborhood. Cites recent noise from music associated with a wedding, which affected all. Presents written testimony for the record. Requests denial of the project. Mr. Donald Dunn addresses item #8 – Dunn, regarding the garage pad. Stephanie Fuhs, staff, responds. Hearing Officer addresses item #9 – Sagasay; states he finds the project exempt from the California Environmental Quality Act.

CONSENT AGENDA:

None

NON-HEARING ITEMS:

1. This being the time set for continued hearing to consider a request by **STEVEN ADRIANSE** for a Minor Use Permit/Coastal Development Permit to allow for the placement of two pre-1976 mobile homes (one primary and one secondary dwelling). The project will result in the disturbance of approximately 3,000 square feet of a 5-acre parcel. The proposed project is within the Residential Suburban land use category and is located at 1998 Tapidero Avenue in the community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

County File No: DRC2005-00014 Assessor Parcel Number: 074-222-007

Supervisory District: 2

Date Accepted: 12/9/2005

Murry Wilson, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through H in Exhibit A and subject to Conditions 1 through 14 in Exhibit B. (Document No. 2006-232)

2. This being the time set for hearing to consider a request by **JUDE AND DIEDRA BASILE** for a Minor Use Permit/Coastal Development Permit to allow the construction of a new 600 square foot single story guesthouse located to the rear of the existing single family home. The project will result in the disturbance of approximately 600 square feet of a 1.08-acre parcel. The proposed project is within the Residential Single Family land use category and is located at 6404 Buckley Road in the community of Cambria. The site is in the North Coast planning area. This project is exempt under CEQA.

County File Number: DRC2005-00127

Assessor Parcel Number: 013-084-037

Supervisory District: 2

Date Accepted: February 6, 2006

Ryan Hostetter, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through L and subject to Conditions 1 through 11 in Exhibit B. (Document No. 2006-233)

3. This being the time set for hearing to consider a Request by David Marshall for a Minor Use Permit/Coastal Development Permit to allow an approximately 1,873 square foot addition to the existing 1,860 square foot single family residence. The addition will include 872 square feet of garage space, and 1,001 square feet of living area which includes a new master bedroom, bathroom, storage areas, entry area, and additional kitchen area. The project will result in the disturbance of approximately 1,675 of a 7,440 square foot parcel. The proposed project is within the Residential Single Family land use category and is located on the northwest portion of the intersection of Castle St. and Windsor Blvd. (at 2401 Windsor Blvd.) in the community of Cambria. The site is in the North Coast planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 26, 2006 for this project. Mitigation measures are proposed to address cultural resources and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File No: DRC2005-00059

APN: 023-014-014, 011 & 013

Supervisory District: 2

Date Accepted: October 28, 2005

Ryan Hostetter: Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources

Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through K in Exhibit A and subject to Conditions 1 through 21 in Exhibit B. (Document No. 2006-234)

4. This being the time set for hearing to consider a request by **SDS FAMILY TRUST** for a Minor Use Permit/Coastal Development Permit to allow the construction of a new 4,576 square foot barn, and to modify the previously approved Minor Use Permit (D010354P) to remove the coastal access condition of approval. The barn as proposed is located in the same location as a previous historic barn that had been destroyed due to weather and age. The location is approximately 120 feet to the east of the existing residence. The proposed barn will be highly visible from Highway 1 (the west side of the highway approximately 1 mile south of Harmony). The project will result in the disturbance of approximately 4,576 square feet of a 400 acre parcel. The proposed project is within the Agriculture land use category and is located at 4510 Cabrillo Highway, approximately 1 mile south of the community of Harmony in the Estero planning area. This project is exempt under CEQA.

County File Number DRC2004-00125 Assessor Parcel Number: 046-082-010, 11 & 05

Supervisorial District: 2

Acceptance Date: January 24, 2006

Ryan Hostetter, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through N in Exhibit A and subject to Conditions 1 through 14 in Exhibit B. (Document No. 2006-235)

5. This being the time set for hearing to consider a request by **WILL AND MARILYN SOUZA** for a Minor Use Permit/Coastal Development Permit to add a pedestrian lift, residential elevator, and connecting breezeway to an existing single family residence, totaling 53.31 square feet. The project will result in a site total of 1,829.31 square feet of footprint and 3,688.79 square feet of gross structural area on an approximately 7,183 square foot parcel. The project will not impact or remove any pine or oak trees, and will require the purchase of 127 Transfer of Development Credits (TDC's). The project is located at 610 Randall Ave. in the community of Cambria, in the North Coast Planning Area. This project is exempt under CEQA.

County File Number DRC2005-00124

Assessor Parcel Number: 023-161-041

Supervisorial District: 2

Acceptance Date: January 20, 2006

Ryan Hostetter, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Minor Use permit/Coastal Development Permit is granted based on Findings A through Q in Exhibit A and subject to Conditions 1 through 15 in Exhibit B. (Document No. 2006-236)

6. This being the time set for hearing to consider a request by **CLAY AKEY/CINGULAR WIRELESS** for a Minor Use Permit/Coastal Development Permit to allow the construction and operation of an unmanned wireless telecommunications facility consisting of four 4-foot panel antennae located on 17.1-foot poles in two sectors and associated ground mounted equipment. The project will result in the disturbance of approximately 2,250 square feet of a 28 acre parcel.

The project site is within the Agricultural land use category and is located on the west side of Villa Creek Road (at 4880 Villa Creek Road), northeast of Highway 1, approximately eight miles north of the community of Cayucos. The site is in the Estero planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 22, 2005 for this project. Mitigation measures are proposed to address visual resources, air quality, biological resources, geology, and hazards are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File Number: D030158P Assessor Parcel Number: 046-091-040
 Supervisorial District: 2 Date Accepted: September 12, 2005
Lauren Lajoie, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through O in Exhibit A and subject to Conditions 1 through 38 in Exhibit B. (Document No. 2006-237)

7. This being the time set for hearing to consider a request by **CHRISTOPHER AND BRITTANY CROMPE** for a Minor Use Permit to allow modification of the limitation the distance an existing secondary dwelling can be located to a primary residence from 50 feet to approximately 120 feet on a 1.08 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 873 Calimex Place, approximately one mile north of the community of Nipomo. The site is in the South County (Inland) planning area. This project is exempt under CEQA. This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), and Guidelines Section 15042, which provides that CEQA does not apply to projects that a public agency rejects or disapproves.

County File No: DRC2005-00006 Assessor Parcel Number: 091,322,053
 Supervisorial District 4 Date Accepted: November 30, 2005
Stephanie Fuhs, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 11 in Exhibit B. (Document No. 2006-238)

8. This being the time set for hearing to consider a request by **DONALD AND CAROL DUNN** for a Minor Use Permit to allow construction of a 1,200 square foot secondary dwelling with a 519 square foot detached garage as well as a 4,800 square foot barn located outside the building envelope for Lot 37 of Tract 1516. The project will result in the disturbance of approximately

14,500 square feet of a 10.3 acre parcel. The proposed project is within the Residential Rural land use category. The project is located at 1220 Ramal Lane, approximately 3 quarters of a mile north of the Dana Foothill Road/Riata Lane intersection, approximately four miles north of the community of Nipomo. The site is in the South County (Inland) planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 26, 2006 for this project. Mitigation measures are proposed to address Aesthetics and Geology and Soils and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File No: DRC2004-00091

Assessor Parcel Number: 090-012-039

Supervisory District 4

Date Accepted: September 28, 2005

Stephanie Fuhs, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 16 in Exhibit B. (Document No. 2006-239)

9. This being the time set for hearing to consider a request by **MARILYN SAGASAY** for a Minor Use Permit to allow temporary events including weddings, birthday/retirement parties, and specialized group and/or committee meetings on an existing nine acre parcel. The number of events held annually would be limited to 12 events with no more than 250 guests in attendance. The proposed project is within the Residential Rural land use category and is located on the south side of Stanton Street (459 Stanton Street), approximately two miles north of the community of Nipomo. The site is in the South County (Inland) planning area. *(Recommendation is for denial of the Minor Use Permit)* This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), and Guidelines Section 15042, which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

County File No: DRC2005-00005

Assessor Parcel Number: 091-063-021

Supervisory District 4

Date Accepted: Not applicable

Stephanie Fuhs, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the Minor Use Permit is DENIED based on Findings A through E in Exhibit A.

10. This being the time set for hearing to consider a request by **SHIELDS ABERNATHY** for a Minor Use Permit to allow the construction of a 3,000 square foot winery, and access road. No special events or public tasting is proposed. The project will result in the disturbance of approximately 25,000 square feet of an 80 acre parcel. The proposed project is within the Agriculture land use

category and is located at 9430 Toyon Way, approximately one mile northeast from the intersection of Adelaida Road and Klau Mine Road and approximately nine miles west of the community of Templeton. The site is in the Adelaida planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 26, 2005 for this project. Mitigation measures are proposed to address biological resources, population/housing and wastewater and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File No: DRC2004-00266 Assessor Parcel Number: 014-311-046

Supervisory District: 1

Date Accepted: June 18, 2005

Nick Forester, Project Manager

MINUTES:

Hearing Officer: John Nall

Thereafter, on motion of the Hearing Officer, the the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit is granted based on Findings A through F in Exhibit A and subject to Conditions 1 through 21 in Exhibit B. (Document No. 2006-240)

HEARING ITEMS:

11. This being the time set for hearing to consider a request by **THE LAND CONSERVANCY** for a Lot Line Adjustment (COAL 05-0409) to adjust the lines between three parcels of 22.6 acres, 20.7 acres, and 4.3 acres each, for the purpose of transferring a portion of land along San Luis Obispo Creek into Land Conservancy ownership for the protection of biological and agricultural resources and potential future alignment of the Bob Jones City-to-Sea Bikeway. The adjustment will result in three lots 4.9 acres, 20.3 acres, and 22.3 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 6585 and 6674 Monte Road, immediately north and south of Squire Canyon Road, approximately 300 feet east of the community of Avila Beach. The site is in the San Luis Bay (Inland) planning area. This project is exempt under CEQA.

County File No: SUB2005-00134 Assessor Parcel Number: 076-251-032, 038, 047

Supervisory District: 3

Date Accepted: February 8, 2006

Michael Conger, Project Manager

MINUTES:

Hearing Officer: John Nall

Others: Brian Stark, applicant; Bob Hill, applicant.

Thereafter, on motion of the Hearing Officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 16 in Exhibit B. (Document No. 2006-241)

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,
Mary Velarde, Secretary
Planning Department Hearings